

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	SA CV 23-355 ODW (MRW)	Date	August 10, 2023
Title	Diep v. Warden		

Present:	Hon. Michael R. Wilner, U.S. Magistrate Judge		
	James Muñoz	n/a	
	Deputy Clerk	Court Reporter / Recorder	
	Attorneys for Petitioner:	Attorneys for Respondent:	
	n/a	n/a	

Proceedings: ORDER TO SHOW CAUSE RE: DISMISSAL

1. In June 2023, the Attorney General moved to dismiss this habeas action on procedural grounds. (Docket # 13.) The Court issued an order requiring Petitioner to respond to the motion by July 21, 2023. (Docket # 15.) To date, Petitioner has not filed any response to the motion or the Court's order.

2. Petitioner is ordered to show cause why the motion should not be granted for the grounds stated by the Attorney General and for Petitioner's failure to oppose the motion pursuant to Local Rule 7-12. Petitioner's response to the OSC and his substantive response to the motion are due by or before August 31, 2023.

Petitioner is advised that the failure to respond to this order will lead the Court to conclude that the motion is unopposed under Local Rule 7-12, and the action will be dismissed on that basis and under Federal Rule of Civil Procedure 41 for failure to prosecute the action. Applied Underwriters, Inc. v. Lichtenegger, 913 F.3d 884 (9th Cir. 2019).